

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
THIRD DIVISION**

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C. Earl Grant,

Plaintiff,

v.

Gerald S. Golden and Inna Rozinski,  
National Board of Medical Examiners,

Defendants.  
-----

Court File No. 99-66 DSD/JMM

**STIPULATION TO MODIFY  
BRIEFING SCHEDULE  
AND ORDER**

**BACKGROUND TO STIPULATION**

On March 22, 1999, pursuant to Rules 12(c) and 56 of the Federal Rules of Civil Procedure, defendants filed a motion to dismiss a number of the claims contained in plaintiff's Complaint. The hearing for this motion was scheduled for May 7, 1999. Plaintiff's response was due on April 28, 1999. After this motion was filed, plaintiff obtained legal representation. Plaintiff's counsel has represented that she intends to amend the Complaint and that this amendment may render moot some of the issues raised by defendants' motion. In addition, because counsel has been retained only recently, she has stated that she would be unable to respond to defendants' motion by April 28, 1999.

In the interest of conserving the Court's resources and in the spirit of cooperation, defendants have agreed to proceed with to a schedule with respect to service and filing of the amendment of the Complaint and the briefing schedule for defendants' motion.

**STIPULATION**

1. Plaintiff shall deliver to defendants' counsel his Amended Complaint on or before May 5, 1999.

2. If Plaintiff's Amended Complaint is delivered to defendants' counsel on or before May 5, 1999:

a. Defendants shall notify plaintiff's counsel on or before May 12, 1999, as to whether they intend to proceed with their present motion.

b. If defendants decide to proceed with their present motion, plaintiff's response to that motion shall be delivered to defendants' counsel on or before May 28, 1999, and defendants' reply brief shall be delivered to plaintiff's counsel on or before June 8, 1999.

c. Thereafter, defendants' counsel shall file both plaintiff's and defendants' submission with the Court and obtain a date for the hearing.

2. If plaintiff's Amended Complaint is not delivered to defendants' counsel on or before May 5, 1999, defendants' motion shall proceed according to the following schedule:

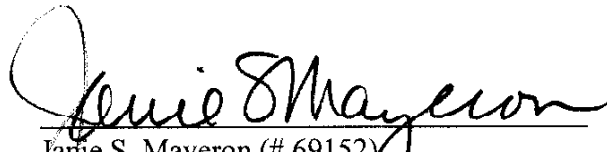
a. Plaintiff's response to that motion shall be delivered to defendants' counsel on or before May 21, 1999.

b. Defendants' reply brief shall be delivered to plaintiff's counsel on or before May 28, 1999.

c. Thereafter, defendants' counsel shall file both plaintiff's and defendants' submission with the Court and obtain a date for the hearing.

Dated:

5/6/99

  
Jamie S. Mayeron (# 69152)

**LEONARD, STREET AND DEINARD**

Professional Association

150 South Fifth Street, Suite 2300

Minneapolis, Minnesota 55402

Telephone: (612) 335-1500

**ATTORNEYS FOR DEFENDANTS**

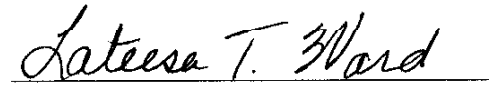
**GERALD S. GOLDEN, INNA**

**ROZINSKI, AND NATIONAL BOARD**

**OF MEDICAL EXAMINERS**

Dated:

May 6, 1999

  
Lateesa T. Ward (# 218030)

**JACKSON & WARD**

801 Nicollet Mall

Suite 1850

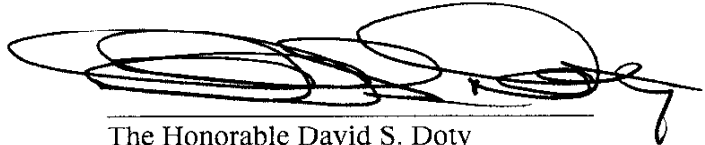
Minneapolis, Minnesota 55402

Telephone: (612) 342-0077

**ATTORNEYS FOR PLAINTIFF**

**ORDER**

IT IS SO ORDERED.



The Honorable David S. Doty  
Judge, District of Minnesota

Dated:

May 7, 1999